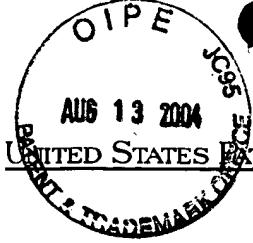


JFM  
JBB

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/823,324	04/13/2004	Franklin Fulton Simpson	BEAS-1260US2

23910  
 FLIESLER MEYER, LLP  
 FOUR EMBARCADERO CENTER  
 SUITE 400  
 SAN FRANCISCO, CA 94111

CONFIRMATION NO. 4474  
**FORMALITIES LETTER**



\*OC000000013067184\*

Date Mailed: 06/25/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

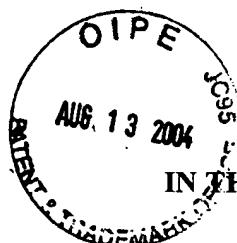
*A copy of this notice **MUST** be returned with the reply.*

C.H.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Franklin Fulton Simpson

Appln. No.: 10/823,324

Confirm. No.: 4474

Filed: 04/13/2004

Title: COMMON MANAGEMENT MODEL FOR  
DISTRIBUTED SERVER NETWORK

PATENT APPLICATION

Art Unit: 2171

Examiner:

Customer No. 23910

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**, on August 10, 2004.

  
Stephen R. Bachmann, Reg. No. 50,806  
Signature Date: August 10, 2004

(Attorney Signature)

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application -- Filing Date Granted, dated 06/25/2004, enclosed are the following documents in connection with the above-identified application:

- Copy of Notice to File Missing Parts -- Filing Date Granted
- Declaration for Patent Application
- Assignment and Assignment Recordation Form Cover Sheet
- Power of Attorney
- Petition for an Extension of Time pursuant to 37 C.F.R. §1.136(a) for responding to the Notice to File Missing Parts
- Information Disclosure Statement under 37 C.F.R. §1.56
- Preliminary Amendment

### Small Entity Statement

\_\_\_\_ Applicant(s) qualify for small entity status under 37 C.F.R. § 1.27.

### Patent Application Filing Fee

The patent application filing fee (if applicable) is calculated as shown below:

For	Number Filed	Number Extra	Rate Small Entity/Other Than Small Entity	Total
BASIC FEE (37 CFR 1.16(a))			\$385.00 \$770.00	\$
TOTAL CLAIMS (37 CFR 1.16(c))	— - 20	— *	X \$ 9.00 X \$ 18.00	\$
INDEPENDENT CLAIMS (37 CFR 1.16(b))	— - 3	— *	X \$ 43.00 X \$ 86.00	\$
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))			+ \$145.00 + \$290.00	\$
			TOTAL	\$

\*If the difference in column 1 is less than zero, enter "0" in column 2.

### Total Fee

The Total Fee associated with this communication has been calculated as shown below:

—	Patent application filing fee	\$
—	Net fee for extension of time	\$
—	Assignment recording fee (\$40.00)	\$
✓	Surcharge under 37 C.F.R. §1.16(e) for late filing of filing fee or Declaration:	
✓	Large Entity \$130.00	\$130.00
—	Small Entity \$ 65.00	\$
TOTAL FEE DUE:		<hr/> \$130.00

**Method of Payment of Fees**

A check in the amount of the TOTAL FEE DUE is enclosed.

The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: August 10, 2004

By:   
Stephen R. Bachmann  
Reg. No. 50,806

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Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
Telephone (415) 362-3800